

1911-026
Lee Co.

Chancery Causes: Alice Mayes vs. Robert Mayes

Mayes, Dugger, Turner

CA-Divorce
T-Vices

#1.

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Alice Mayes, Plaintiff. #

vs. #

Robt. Mayes, Defendant. #

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To the Hon. H. A. W. Skeen, Judge of the Circuit Court
for Lee County, Virginia.

Humbly complaining your oratrix, Alice Mayes, would respectfully represent and show unto the Court that she is now, and has been for more than twelve months next preceeding the institution of this suit, a citizen of Lee County, Virginia; that on the 11th day of August, 1901, she intermarried with one, Robert Mayes; that from this marriage three children were born, to-wit: Ethel, who is now eight years old; Cleva who is now five years old and Edna who is now three years old; that on or about July, 1st, 1909, that said Robert Mayes deserted your oratrix taking with him the two elder children, Ethel and Cleva, and now has them in his custody; that ever since that time he has been living in adultery with a woman at Seaboard, Tazewell County, Virginia; that said adultery was without the consent, connivance or procurement of your oratrix; and that she has not cohabited with the said Robert Mayes since she learned of said adulterous acts.

Being remedless, therefore, save in a court of Equity the pray of your oratrix is that the said Robert Mayes be made a party defendant to this bill; that he be required to answer the same, but he need not do so under oath as that is specifically waived; that upon a hearing your oratrix be granted a decree of divorce from the bonds of matrimony heretofore contracted ~~between~~ and up to this time existing, between her and the said Robert Mayes; that your oratrix be given the custody of the three children; and that all such other, further and general relief be afforded your oratrix as in the premises may be just and right. And she will ever pray, etc.

J. B. Noel P.Q.

Alice Mays.

vs { Bill in Chancery.

Robert Mays

1911 2nd Jan. Rules
Bill filed, & pa not
executed & cont'd
for alias.

" 1st May. Rules
alias & pa not ex-
ecuted & cont'd. for

O.P.
" 1st Apr. Rules
O.P. & cont'd.

" 2nd Apr. Rules
cont'd for O.P.

" 1st May Rules.
O.P. completed &
cause set for
hearing.

Costs:

Clerk \$5.74

Tax 1.50

Athy. 15.00

Printer 5.00

Comm. .75

\$27.99

Alice Mays, Plaintiff
vs { Dr Chancery.
Robert Mays. Deft.

This Cause came on this 7th
day of September, 1911, to be
heard upon the Complainant's
bill, and the papers filed therewith
and the deposition of witnesses.
And was argued by counsel.
And it appearing that the defendant
Robert Mays is not a resident
of this state, and that an order
of publication has been duly
posted and published ~~and~~
required by law, and that the
said defendant has not appeared
to plead answer or demur to said
bill, the same is taken as
confessed as to him. But at
his independent of said confession,
it appearing from the evidence
that the said Robert Mays has been
guilty of adultery as charged in
said bill, it is adjudged ordered
and decreed that the bonds of
matrimony heretofore contracted
and up to this time existing
between the plaintiff and defendant
be and the same is hereby annulled
dissolved and set aside; and the
said Alice Mays declared to be
sole and single; and that she recover
of the defendant her costs, and this cause
is stuck from the docket.

Alice Mays
vs Jm Chancery
Robert Mays
Decree final

Entered in CCB
No. 9, page 2050.
Ex. 100000.

Enter this
decree
this Sept 7, 1911
It is so shown
Judge

The depositions of W.C.Dugger and T.J.Turner taken^{ex parte} before me, R.E.L.Chumbley, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, on the 29th day of April, 1911, at the law office of J.C.Noel, in the town of Pennington Gap, to be read as evidence in behalf of the plaintiff in a certain suit in equity depending in the Circuit Court for Lee County, Virginia, wherein Alice Mayes is the plaintiff and Robert Mayes is the defendant.

Present, J.C.Noel Counsel for Plaintiff.

W.C.Dugger, a witness of lawful age being duly sworn deposes and says:

Q.--State your age, residence and occupation.

A.-- I am 38 years old, reside at St.Charles, and am a miner.

Q.-- Are you acquainted with Alice Mayes and Robert Mayes, the parties to this suit? And how long have you known them.

A.-- Yes. I have known her about two years, and have known Him about four years.

Q.-- When and where did you last see said Robert Mayes.

A.-- In Richlands, Va., in December 1910.

Q.-- With whom was he then living?

A.-- He was living with some woman, not his wife, and she was introduced to me as his wife. But his real wife was at that time living at St.Charles, Va. with her father and mother.

Q.-- State whether, his wife, Alice Mayes has cohabited with said Robert Mayes since she learned of the fact that he was living with the other woman you have spoken of?

A.-- She has not. She has been living at St.Charles ever since, and he has never returned. My information is that he is living now in ~~Warrick~~ West Va.

And further this deponent sayeth not.

W.C. Dugger

T.J.Turner, another witness of lawful age, being duly sworn deposes and says.

I am ~~34~~ 31 years old, reside at St.Charles Va. and am a miner.

I have known Alice Mayes and Robert Mayes for about five years.

-2-

They were then married. About two years ago he left his wife. I last saw him at Richlands, Va., in December 1910, he was then living with another woman, claiming her as his wife, saying that Alice Mayes, the plaintiff, was dead. Alice Mays his wife was then living at St. Charles Va. with her father and Mother. She has been living there ever since and Robert Mayes has never been back.

And further this deponent sayeth not.

J. J. Turner

Virginia, Lee County, towit:

I, R. E. L. Chumbley, a Commissioner in Chancery for the Circuit Court for Lee County, do certify that the foregoing depositions of W. C. Dugger and T. J. Turner, were taken, subscribed and sworn to before me at the time, and place and for the purpose in the caption thereto mentioned. Given under my hand this 29th day of April, 1911.

R. E. L. Chumbley

Commissioner in Chancery.

Commissioner's fee, 75 Cts.; pd-

Alice Moyes
vs. { depositions

Robert Moyes

Filed ~~at~~ May 1, 1911.

J. C. Ewing,
Clerk

Commissioner in Chancery.

Order of Publication.

In the Clerk's Office of the Circuit Court
of the county of Lee, on the 5th
day of April, 1911.

ALICE MAYES, Plaintiff,
against

ROBERT MAYES, Defendant.

In chancery.

The object of this suit is to obtain a
divorce a vinculo matrimonii. And an
affidavit having been made and filed
that the defendant, Robert Mayes, is
not a resident of the State of Virginia,
it is ordered that he do appear here
within fifteen days after due pub-
lication hereof and do what may be nec-
essary to protect his interest in this suit.

And it is further ordered that a copy
hereof be published once a week for four
weeks in the Jonesville Star and that a
copy be posted at the front door of the
Courthouse of this county as prescribed
by law.

A copy—Teste:

H. C. T. EWING, Clerk.

By M. E. FLANARY, D. C.

J. C. NOEL. p. q.

Alvin Mays

vs

{ in charge

Robert Mays



I, J. C. Booty, editor
of The Jonesville Star, a weekly newspaper
published in the county of Lee, state of Virginia,
do hereby certify that the enclosed notice was
published in said paper once a week for four
successive weeks, commencing on the 7
day of April 1911

J. C. Booty, Editor.

FEE \$

5-00

Deane J. P.

7.144

J. C. Booty